

REMARKS

Applicants amended claim 4 to change the dependency from claim 3 to claim 2. Claims 10 was amended to correct minor errors.

Applicants submit that the Examiner has made inconsistent findings in his Office Action with respect to claim 3. In the Office Action Summary and page 4 of the Office Action, the Examiner found that claim 3 was allowable. On page the Examiner did not include claim 3 in his list of claims rejected under 35 U.S.C. §102. However, in contradiction of the findings of above allowability of claim 3, the Examiner stated on pages 1 and 2 of the Application that claim 3 is rejected. Applicants note that the Examiner allowed and nowhere rejected claims 12 and 21 which substantially include many of the requirements of claim 3. Applicants request the Examiner to clarify his inconsistent findings with respect to claim 3. In this response, Applicants assume that the Examiner intended to allow claim 3.

The Examiner found that claim 19 would be allowed if rewritten in independent form. In response, Applicants have rewritten claim 19 in independent form to place in condition for allowance. Moreover, Applicants added independent claim 38, which combines the requirements of claim 2 and 19, and includes many of the requirements of amended claim 19 in a medium feeding apparatus format. Applicants submit that claim 38 is patentable over the cited art for the reasons found with respect to claim 19.

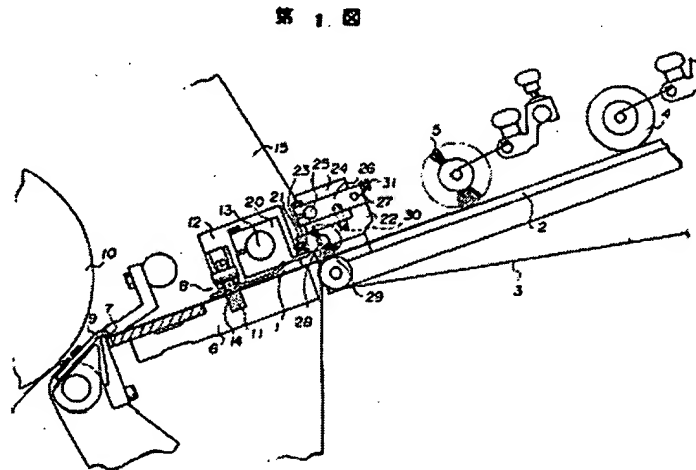
Applicants further changed the dependency of claim 4 to depend from claim 2.

The Examiner rejected pending claims 2, 10, and 18 as anticipated (35 U.S.C. §102) by Sone (Japanese Patent No. JP20-81842). Applicants traverse for the following reasons.

Amended claims 2, 10, and 18 concern a medium feeding apparatus for feeding a medium including at least one align roller to align a medium in a path. A feed assistance member includes a shaft and a feed assistance roller rotably mounted to the shaft and positioned to apply pressure on the medium in the path to stabilize the medium while the medium is being aligned in the path by the at least one align roller. The feed assistance member is not rotably connected to the align roller and the feed assistance roller is not vertically aligned with any roller.

Amended claims 2, 10, and 18 concern a medium feeding apparatus for feeding a medium including at least one align roller to align a medium in a path. A feed assistance member includes a shaft and a feed assistance roller rotably mounted to the shaft and positioned to apply pressure on the medium in the path to stabilize the medium while the medium is being aligned in the path by the at least one align roller. The feed assistance member is not rotably connected to the align roller and the feed assistance roller is not vertically aligned with any roller.

Below is a reproduction of the cited FIG. 1 of Sone which the Examiner cited as anticipating claims 2, 10, and 18.



The Examiner found that the shaft 13 of Sone comprised the claimed shaft and that the element 14 of Sone comprised the claimed feed assistance member. (Office Action, pg. 1) Applicants traverse this rejection because nowhere does the cited Sone anywhere disclose or mention that the element 14 is rotably mounted to the shaft 13 and positioned to apply pressure on the medium in the path as claimed. Applicants note that the cited English Abstract of Sone nowhere mentions element 14 nor mentions that it is rotably mounted to shaft 13. In fact, Sone describes a different arrangement because according to the English Abstract of Sone the shaft 13 is rotated to move the soft holder 20 to push up the brush arm 22 as shown in FIG. 1. Further, FIGs. 1 and 4 appear to show the element 14 as part of a structure 12, which Sone does not disclose as rotably mounted to shaft 13.

In fact, because shaft 13 moves to push up the structure 22, it appears to move independently of the structure 12 on which the cited element 14 is fixed. This arrangement would indicate that the structure 12 including the cited element 14 does not rotate around the shaft 13. Instead the structure 20, to which the cited element 14 is not attached, would rotate around the shaft so that its contact portion 21 can move the brush arm 22 as mentioned in the English Abstract and as shown in FIGs. 3a and 3b.

Accordingly, claims 2, 10, and 18 are patentable over the cited Sone because the cited Sone does not disclose all the claim requirements. Specifically, the cited element 14 cannot function as the feed assistance member rotably mounted to the shaft to apply pressure on the medium in the path to stabilize the medium as claimed.

The Examiner rejected claims 11, 23-25, 27, 29, 30, and 32-37 as anticipated by Sone. Applicants traverse because these claims depend directly or indirectly from one of claims 2, 10, and 18, which are patentable for the reasons discussed above. Applicants submit that claims 32-37 provide additional grounds of patentability over the cited art.

Claim 32, 34, and 36 depend from claims 2, 10, and 18 and further require that an align roller aligns the medium in a substantially horizontal path and that the feed assistance member and align rollers contact the medium while the medium is moving in the substantially horizontal path.

In rejecting these claims, the Examiner referenced Sone but did not specifically identify any element in Sone operating as the claimed align roller that aligns the medium in a horizontal path as claimed, in addition to rollers aligning in the vertical path. (Office Action, p. 2) For these reasons, claims 32, 34, and 36 provide additional grounds of patentability over the cited Sone because the Examiner has not identified which element in the cited Sone functions as the claimed align roller. Thus, the cited Sone does not disclose all the claim limitations as required for an anticipation (35 U.S.C. §102) rejection.

Claim 33, 35, and 37 depend from claims 2, 10, and 18 and further require that the feed assistance member rotates and applies pressure to the medium in response to contacting the

medium being moved by the align roller. The Examiner generally cited Sone as disclosing the requirements of these claims. (Office Action, pg. 2) Applicants traverse.

Nowhere does the cited Sone, including the English Abstract and of the FIGs. 1-4, show that the cited element 14, which the Examiner likens to the claimed feed assistance member, rotates around the shaft to apply pressure as claimed. Accordingly, these claims provide additional grounds of patentability because the Examiner has not shown where the cited Sone discloses these additional requirements.

The Examiner rejected claims 4, 6-9, 13, 15-17, 20, and 22 as obvious (35 U.S.C. §103) over Sone in view of DeFalco (U.S. Patent No. 5,088,848). Applicants traverse for the following reasons.

Claims 4, 6-9, 13, 15-17, 20, and 22 are patentable over the cited art because they depend from one of claims 2, 10, and 18, which are patentable over the cited art for the reasons discussed above and because the Examiner did not cite DeFalco for the deficiencies of Sone with respect to independent claims 2, 10, and 18 discussed above.

CONCLUSION

Applicants submit that, for the above discussed reasons, the pending claims 2-38 are patentable over the art of record. Applicants have submitted herewith a form authorizing charging of a credit card for the fee for rewriting certain dependent claims into independent form. Should any additional fees be required, please charge Deposit Account No. 50-0585.

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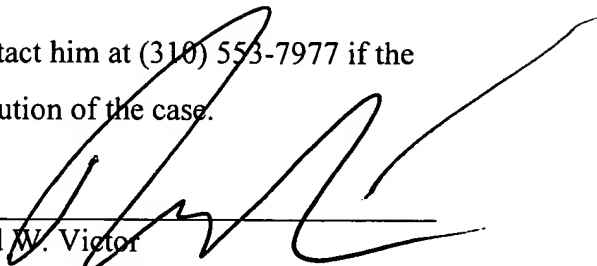
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The attorney of record invites the Examiner to contact him at (310) 553-7977 if the Examiner believes such contact would advance the prosecution of the case.

Dated: October 3, 2002

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

Claims 4, 10, 19 are amended as follows

4. (Amended) The medium feeding apparatus of claim [3] 2, wherein the align rollers have a non-circular cross section for feeding the medium.

10. (Four Times Amended) A medium processing device including a medium feeding apparatus to feed the medium through a feed path in the processing device, wherein the medium feeding apparatus comprises:

at least one align roller to align a medium in a path; and
a feed assistance member comprising:

(i) a shaft; and

(ii) a feed assistance roller rotably mounted to the shaft and positioned to apply pressure on the medium in the path to stabilize the medium while the medium is being aligned in the path by the at least one align roller, wherein the feed assistance member is not rotably connected to the align roller, and wherein the feed assistance roller is not vertically aligned with any roller.

19. (Amended) [The feed assistance apparatus of claim 18,] A feed assistance apparatus for feeding a medium in a medium processing apparatus, comprising:

at least one align roller for feeding the medium;

a member portion contacting said medium being fed to increase a frictional force generated on the medium while the medium is being aligned in the path by the at least one align roller;

wherein the member portion is not rotably connected to the align roller, and wherein the member portion is not vertically aligned with any roller, and wherein the member portion is non-rotatable.